

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION

KATHERINE DAVIS,  
Guardian for Carla Lewis

PLAINTIFF

v.

No. 4:13-cv-589-DPM

OLD DOMINION FREIGHT LINE  
and MELVIN HOWZE

DEFENDANTS

ORDER

The Court appreciates and commends the parties' agreed proposed statement of the case. The Court has made a few edits for clarity, which are noted on the attachment. The Court will use the revised statement in *voir dire* and in the jury's preliminary instructions.

So Ordered.

D.P. Marshall Jr.  
D.P. Marshall Jr.  
United States District Judge

7 January 2016

DPM edit

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION

CARLA LEWIS BY AND  
THROUGH HER GUARDIAN,  
KATHERINE DAVIS

PLAINTIFF

V.

NO. 4:13CV0589-DPM

OLD DOMINION FREIGHT  
LINE, INC. AND MELVIN HOWZE

DEFENDANTS

**AGREED PROPOSED STATEMENT OF THE CASE**

This case involves an auto accident which occurred on westbound Interstate 30 in Benton, Arkansas, on November 25, 2012, at approximately 8:43 p.m. Carla Lewis was driving a 2003 Dodge Durango, accompanied by passenger Christina Jones, traveling to Hot Springs, Arkansas. <sup>In this lawsuit,</sup> The Plaintiff, Katherine Davis, as Guardian of Carla Lewis, alleges Ms. Lewis became incapacitated while driving, and as a result, her vehicle was stopped in the center lane of westbound Interstate 30. The passenger, Ms. Jones, fled the Durango, while Ms. Lewis remained inside. After which, a pickup truck made contact with the passenger side of the Lewis vehicle. Melvin "Keith" Howze, operating a tractor-trailer on behalf of Old Dominion <sup>Freight Line</sup> tractor-trailer, was also traveling westbound on Interstate 30 alongside other traffic. Sometime after the first impact from the pickup truck, Mr. Howze struck the Durango from the rear. <sup>Ms. Davis</sup> Plaintiff claims that Mr. Howze was negligent and that he and <sup>Old Dominion,</sup> his employer are liable for any damages incurred by Carla Lewis as a result of the accident. <sup>Ms. Davis</sup> Defendants deny that Mr. Howze was negligent, and deny <sup>Mr. Howze and Old Dominion</sup> liability for any of the damages sought by Plaintiff.

Ms. Davis for Ms. Lewis.